

**THE FAYETTE COUNTY ZONING BOARD OF APPEALS** met on February 27, 2012, at 7:00 P.M. in the Fayette County Administrative Complex, 140 Stonewall Avenue West, Public Meeting Room, First Floor, Fayetteville, Georgia.

**MEMBERS PRESENT:** Vic Bolton, Chairman  
Bill Beckwith, Vice-Chairman  
Larry Blanks  
Brian Haren  
Tom Mahon  
Deputy Barry Baney

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Dennis S. Dutton, Zoning Administrator  
Robyn S. Wilson, ZBA Secretary/Zoning Coordinator

**STAFF ABSENT:** Pete Frisina, Director of Community Development

**Welcome and Call to Order:**

Chairman Bolton called the meeting to order and led the Pledge of Allegiance. He introduced the Board Members and Staff and confirmed there was a quorum present.

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**1. Election of a Chairman for 2012.**

Bill Beckwith nominated Vic Bolton for Chairman. Larry Blanks seconded the nomination. Larry Blanks made a motion to close the floor for nominations. Bill Beckwith seconded the motion. The motion to close the floor for nominations unanimously passed 5-0. Members voting in favor of the motion to close the floor for nominations were: Vic Bolton, Bill Beckwith, Larry Blanks, Brian Haren, and Tom Mahon. The motion to elect Vic Bolton as Chairman for 2012, unanimously passed 5-0. Members voting in favor of Vic Bolton as Chairman for 2012 were: Vic Bolton, Bill Beckwith, Larry Blanks, Brian Haren, and Tom Mahon.

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**2. Election of a Vice-Chairman for 2012.**

Larry Blanks nominated Brian Haren for Vice-Chairman. Bill Beckwith seconded the nomination. Bill Beckwith made a motion to close the floor for nominations. Larry Blanks seconded the motion. The motion to close the floor for nominations unanimously passed 5-0. Members voting in favor of the motion to close the floor for nominations were: Vic Bolton, Bill Beckwith, Larry Blanks, Brian Haren, and Tom Mahon. The motion to elect Brian Haren as Vice-Chairman for 2012, unanimously passed 5-0. Members voting in favor of Brian Haren as Vice-Chairman for 2012 were: Vic Bolton, Bill Beckwith, Larry Blanks, Brian Haren, and Tom Mahon.

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**3. Election of a Secretary for 2012.**

Larry Blanks nominated Robyn Wilson for Secretary. Brian Haren seconded the nomination. Larry Blanks made a motion to close the floor for nominations. Bill Beckwith seconded the motion. The motion to close the floor for nominations unanimously passed 5-0. Members voting in favor of

the motion to close the floor for nominations were: Vic Bolton, Bill Beckwith, Larry Blanks, Brian Haren, and Tom Mahon. The motion to elect Robyn Wilson as Secretary for 2012, unanimously

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passed 5-0. Members voting in favor of Robyn Wilson as Secretary for 2012 were: Vic Bolton, Bill Beckwith, Larry Blanks, Brian Haren, and Tom Mahon.

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**4. Consideration of the Minutes of the Public Hearing held on October 24, 2011.**

Bill Beckwith made the motion to approve the Minutes as circulated. Larry Blanks seconded the motion. The motion for approval unanimously passed 5-0. Members voting in favor of approval of the Minutes were: Chairman Bolton, Bill Beckwith, Larry Blanks, Brian Haren, and Tom Mahon.

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Dennis Dutton read the procedures that would be followed for presentation and opposition for petitions.

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**5. Consideration of Petition No. A-589-12, Robert L. White, Jr. and Javonne M. White, Owners/Agents, request a 15 foot Variance to reduce the front yard setback from SR 314 from 60 feet to 45 feet and a Variance to allow the construction of a swimming pool in the front yard along SR 314. This property is located in Land Lot 218 of the 13th District, fronts on Wimbley Point, Longcreek Drive, and SR 314, consists of 1.447 acres, and is zoned R-40. The subject address is: 105 Wimbley Point, Legacy Hills, Phase I.**

Robert White introduced his wife and stated he was seeking the approval of two (2) Variances to allow the construction of a swimming pool in what is considered a front yard. He pointed out the property is unique in that it has three (3) road frontages, SR 314, Wimbley Point, and Longcreek Drive. He noted the only area where the pool could be constructed is where the septic system, driveway, and parking pad are currently located. He said he had met with several pool contractors, as well as, the landscaper for the community. He commented the placement of the pool will not be detrimental to the neighborhood. He remarked there are five (5) homes in the cul-de-sac and three (3) have a pool; however, there is not a community pool. He added the pool would provide entertainment for his four (4) children.

Chairman Bolton pointed out there were no others present in the audience, and he closed the floor from public comments.

Larry Blanks said it was illogical to consider this as a front yard since the pool would be located behind the house; therefore, he has no problem with the request.

Bill Beckwith asked what was meant by the statement regarding one (1) of the pool contractors was requesting an encroachment safeguard due to unforeseen septic field lines configurations.

Dennis Dutton replied one (1) pool contractor was proposing a gunite pool and the other pool contractor was proposing a fiberglass pool. He advised the fiberglass pool is not as flexible and he did not want to run into problems with the pool decking which has to comply with the setback requirements.

Bill Beckwith confirmed the ZBA had previously approved similar requests.

Bill Beckwith made the motion to approve the two (2) Variances as requested. Larry Blanks seconded the motion.

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Larry Blanks stated depending on the type pool, the Variance for the front yard setback may not be needed. He advised the petitioner that approval from the ZBA did not relieve him of compliance with other rules and regulations.

Chairman Bolton remarked the Variance requests are not self-induced especially since the property has three (3) road frontages which are classified as front yards.

Brian Haren asked if the adjacent neighbor was granted a Variance to construct a pool since their property also abuts SR 314.

Dennis Dutton replied the adjacent property is classified as a “through lot” and the ordinance makes provisions for locating accessory structures on a “through lot” and the granting of a Variance is not required.

At this time, Chairman Bolton called for the vote. The motion for approval unanimously passed 5-0. Members voting in favor of approval of the two (2) Variances as requested were: Chairman Bolton, Bill Beckwith, Larry Blanks, Brian Haren, and Tom Mahon.

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Chairman Bolton asked if there was any further business.

Dennis Dutton advised no applications had been submitted for the March Public Hearing.

There being no further business, Larry Blanks made the motion to adjourn the meeting. The motion unanimously passed 5-0. Members voting in favor of adjournment were: Chairman Bolton, Bill Beckwith, Larry Blanks, Brian Haren, and Tom Mahon. The meeting adjourned at 7:40 P.M.

**ZONING BOARD OF APPEALS**  
**OF**  
**FAYETTE COUNTY**

Respectfully submitted by:

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**VIC BOLTON**  
**CHAIRMAN**

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**ROBYN S. WILSON**  
**SECRETARY**

